evidence of a nature that would be admissible in a law court. Justice STEERE, in pronouncing the opinion said that the provisions of the act taken together, show clearly that "the elementary and fundamental principles of a judicial inquiry should be observed, and that it was not the intent to throw aside all safeguards by which such investigations are recognized as best protected." The New Jersey court has ruled that weekly payments awarded could be commuted to a lump sum only on specific findings of fact, based on *legal* evidence. *N. Y. Shipbuilding Co.* v. *Buchanan,* 84 N. J. L. 543. Massachusetts has not passed directly on the question, but the court has twice called attention to the fact that the proceedings before a commission are judicial in character, and should be governed by the same principles. *Stuart McNicol's Case,* 215 Mass. 497; *Wm. Diaz's Case,* 217 Mass. 36. See also the following note.

EVIDENCE—HEARSAY RULE NOT A "TECHNICAL RULE OF EVIDENCE."—In a proceeding in certiorari against the Industrial Accident Commission to review certain proceedings and award under the Workmen's Compensation Act of 1913 which commission by said statute was not to be bound "by technical rules of evidence," *held,* that an award made upon hearsay evidence only could not be sustained. *Englebretson* v. *Industrial Accident Commission* (Cal. 1915), 151 Pac. 421.

In reaching its conclusion, it was necessary for the court to hold that the hearsay rule is a substantial rather than a technical rule of evidence. It would seem rather hard to question the soundness of this decision. The history of the development of the rule clearly supports this view. 2 WIGMORE, EVIDENCE, § 1364. The vital and determinant reason for rejecting hearsay testimony is the desirability of testing all assertions by cross-examination under oath. 1 GREENLEAF, EVIDENCE (16th Ed.), § 98, § 99a; 2 WIGMORE, EVIDENCE, § 1367; *Cornelius* v. *State,* 12 Ark. 782; *State* v. *Medlicott,* 9 Kan. 257, 287; *Westfield* v. *Warren,* 8 N. J. L. 306; *State Bank* v. *Wooddy,* 10 Ark. 638; *Stouvenel* v. *Stephens,* 26 How. Pr. 244; *Miama Queen* v. *Hepburn,* 7 Cranch 290; *Warren* v. *Nichols,* 6 Metc. (47 Mass.) 261. We find the courts also saying, "Its inadmissibility arises from its essential nature." *State* v. *Beeson,* 155 Ia. 355. It supposes the existence of better testimony which might have been produced. *Miama Queen* v. *Hepburn,* 7 Cranch 290. For a contrary decision, see the preceding note.

HUSBAND AND WIFE—DEED FROM HUSBAND TO WIFE OF LAND HELD IN ENTIRETY.—In a cause involving the validity of a deed from husband to wife of land held by entirety. *Held,* that such deed was valid. *Demerse et al* v. *Mitchell et al* (Mich. 1915), 154 N. W. 22.

Fisher v. *Provin,* 25 Mich. 347, holds that after the "Married Woman's Act" a conveyance to husband and wife makes them tenants by entirety. *Vinton* v. *Beamer et al.,* 55 Mich. 559, *Speier* v. *Opfer,* 73 Mich. 35 follow the same doctrine. In *Doane* v. *Feather's Estate,* 119 Mich. 691, it was held that a note of the wife for land conveyed to her and her husband was without consideration because she "did not acquire any interest in the land which